Pending appeals

3469. SHRI KALRAJ MISHRA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the appeals of several thousand persons who have been convicted by lower courts are pending in various High Courts and these poor people are waiting for justice for the last 10-15 years; and

(b) if so, the action being taken by Government to bring the number of pending appeals in the appellate courts to bare minimum?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) No such information is being maintained in the Department of Justice.

(b) It is for the courts to entertain and dispose of the pending appeals.

Functioning of Gram Nyayalayas

†3470. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government is implementing a scheme of Gram Nyayalayas to dispose of the cases at village level itself for the people living in rural areas of the country;

(b) if so, the number of villagers whose cases have been resolved through these courts, so far; and

(c) if not, the progress made by Government in this direction and by when this scheme would be operational and modus operandi that would be adopted by these courts?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) Yes, Sir.

(b) Government does not maintain such information centrally.

(c) The Central Government has enacted the Gram Nyayalayas Act, 2008 on 07.01.2009 which enables the State Governments to establish one or more Gram Nyayalayas for every Panchayat at intermediate level to cater to specified Civil and Criminal cases in the rural areas. The Gram Nyayalayas Act was brought into force with effect from October 2, 2009. Under the Scheme, over 5000 Gram Nyayalayas are likely to be set up across the country.

While concerned State Governments have been requested to set up Gram Nyayalayas in their respective States, the Central Government will provide financial assistance to the States for establishing the Gram Nyayalayas and for operating the same during the first three years by bearing the non-recurring cost of establishment of Gram Nyayalayas subject to a ceiling of Rs. 18.00 lakhs per Gram Nyayalaya and 50% of Rs. 6.40 lakhs per annum as recurring cost of one Gram Nyayalaya for the first three years.

---

†Original notice of the question was received in Hindi.

The Government of Madhya Pradesh has notified 40 Gram Nyayalayas which started functioning from October 2, 2009. The Government of Maharashtra has inaugurated 9 Gram Nyayalayas on 2nd October 2009 out of which 5 Gram Nyayalayas have started functioning. The Government of Orissa has notified one Gram Nyayalaya which has been inaugurated on October 2, 2009. The Government of Rajasthan is opening 45 Gram Nyayalayas. The Government of Assam has decided, in principle, to establish Gram Nyayalayas in each district excluding 2 Hill districts within one year in the first phase.

The functioning of these Courts is prescribed in the Gram Nyayalayas Act, 2008. These Courts will operate under the directions of the respective High Courts.

Cases awaiting verdict

3471. SHRI RAM CHANDRA KHUNTIA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is any specific period for the trial of cases in courts and pronouncement of judgement;

(b) whether it is a fact that after completion of hearing, witness examination of both the sides, pronouncement of judgment could be pending for years together; and

(c) if so, the number of cases in different High Courts in which judgement has not been pronounced even after one year of completion of hearing?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) As per Section 309 of the Code of Criminal Procedure, 1973, in every inquiry or trial, the proceedings shall be held as expeditiously as possible and in particular, when the examination of witnesses has once begun, the same shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded.

As per section 353 of the Code, the judgement in every trial in any Criminal Court of original jurisdiction shall be pronounced in open Court by the Presiding Officer immediately after the termination of the trial or at some subsequent time of which notice shall be given to the parties or their pleaders...

(b) and (c) In majority of cases, judgments are delivered by the judges as soon as the hearing is completed. Information on the number of cases in different High Courts in which judgement has not been pronounced even after one year of completion of hearing is not maintained.

However, as per the information received, no case is pending for more than one year for pronouncement of judgment in the High Courts of Kerala, Chhattisgarh and Himachal Pradesh. 3 cases in 2007 and 27 cases in 2008 were awaiting verdict for more than one year in the High Court of Calcutta.